

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
TUESDAY SEPTEMBER 11, 2012, 2012 - 5:00 P.M.
CITY HALL FIRST FLOOR COMMISSION CHAMBER
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

<u>Board Members</u>	<u>Attendance</u>	Cumulative Attendance 6/2012 through 5/2013	
		<u>Present</u>	<u>Absent</u>
Susan McClellan, Chair	P	4	0
Matthew DeFelice, Vice Chair	P	3	1
Brenda Flowers	P	4	0
Mary Jane Graff	A	3	1
Marie Harrison	A	2	2
Richard Heidelbergberger	P	3	1
David Kyner	P	4	0
Phillip Morgan	P	4	0
Richard Schulze	A	1	3
Gretchen Thompson	P	3	1

City Staff

Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB
Anthony Fajardo, Historic Preservation Board Liaison
Gail Jagessar, Board Liaison
Pat Garbe-Morillo, Planning and Zoning Department
Carrie Sarver, Assistant City Attorney
Jamie Opperee, Prototype Inc.

Communication to the City Commission

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Call to Order

Chair McClellan called the meeting of the Historic Preservation Board to order at 5:00 p.m. Roll was called and it was determined a quorum was present.

All members of the public wishing to address the Board on any item were sworn in.

Board members disclosed communications they had concerning cases on their agenda.

Approval of Minutes of August 2012 Meetings

Mr. Morgan noted that he had not been present at the August meeting and asked that the minutes reflect this.

Motion made by Ms. Thompson, seconded by Mr. DeFelice, to approve the minutes of the Board's August 2012 meeting as amended. In a voice vote, motion passed unanimously.

1.

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Case	14 H 12	INDEX
Applicant	Robert Edwards	
Owner	Frederick Barr	
Address	734 SW 4 th Place	
General Location	Corner of SW 4 th Place and SW 8th Avenue	
Legal Description	LOT 1 AND THE WEST 25 FEET OF LOT 2 RIO ALTA, BEING A SUBDIVISION OF BLOCK 34 OF THE TOWN OF FORT LAUDERDALE	
Existing Use	Residence	
Proposed Use	Residence	
Applicable ULDR Sections	ULDR Sec. 47-17.7, ULDR Sec. 47-24.11.C.3.c.i., Sec. 47-24.11.C.c.ii	
Request(s)	1. Certificate of Appropriateness for replacement of Chain Link Gates and Fence in front of property with Wrought Iron Gates and Fence.	

Mr. Fajardo explained that this item should have undergone zoning review before coming before the Board and he had explained the options to the applicant. If the variance was not granted, the applicant would need to move the fence back three feet and provide landscaping. Mr. Fajardo said the HPB could grant a CoA subject to a variance being granted by the Board of Adjustment and/or that the fence met ULDR

requirements. The applicant would therefore not need to return to the HPB to adjust the fence's location.

Property Background:

Ms. Rathbun stated the house at 734 SW 4th Place in the SBHD was designed by architect William Redden and built in 1951. It is a one story structure having an L-shaped compound plan with room sized projections from the principal mass. The house has a gable roof with barrel tile cladding; the siding is stucco. The house is a private residence and will remain so.

Description of Proposed Site Plan:

Ms. Rathbun informed the Board that the applicant requests a Certificate of Appropriateness to replace a chain link gate and fence in front of the house. The applicant has submitted drawings and specifications for a black painted steel fence and gate with square tube vertical and dog pickets.

Criteria for Certificate of Appropriateness:

Pursuant to ULDR Section 47-24.11.C.3.c.i, in approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the HPB shall use the following general criteria:

ULDR Section 47-24.11.C.3.c.i

- a) The effect of the proposed work on the landmark or the property upon which such work is to be done.

Consultant's Response: The proposed fence and gate are a materials upgrade. The request is appropriate in the district. The front of the house will be fully visible from the public right-of-way.

- b) The relationship between such work and other structures on the landmark site or other property in the historic district.

Consultant's Response: The requested work is appropriate in the district.

In addition to the General Criteria for obtaining a COA, as outlined above, pursuant to ULDR Section 47-17.7.A, the Board must consider the following material and design guidelines to identify existing features of a structure which conform to the guidelines and determine the feasibility of alternatives to the demolition of a structure:

ULDR Section 47-17.7.B

1. Garden walls and fences.

a. Materials and style.

- i. Stucco: float finish, smooth or coarse, machine spray, dashed or troweled.
- ii. Wood: picket, lattice, vertical wood board.
- iii. Masonry: coral, keystone or split face block; truncated or stacked bond block.
- iv. Metal: wrought iron, ESP aluminum, green vinyl coated chain link.

b. Configurations.

- i. Front: spacing between pickets maximum six (6) inches clear.

Consultant's Response: the requested material, iv. Metal: wrought iron, is an appropriate upgrade.

Request No. 1 - COA for Alterations:

The applicant is requesting a certificate of appropriateness for alterations to one structure.

In addition to the General Criteria for obtaining a COA and the Material and Design Guidelines, as previously outlined, pursuant to ULDR Section 47-24.11.C.3.c.ii, the Board must consider the following additional criteria specific to alterations, taking into account the analysis of the materials and design guidelines above:

"Additional guidelines; alterations. In approving or denying applications for certificates of appropriateness for alterations, the Board shall also consider whether and the extent to which the following additional guidelines, which are based on the United States Secretary of the Interior's Standards for Rehabilitation, will be met."

ULDR Section 47-24.11.C.3.c.ii

- f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence, rather than on conjectural designs or the availability or different architectural elements from other buildings or structures;

Consultant's Response: The applicant wishes to replace an inappropriate chain link fence and gate with an approved metal picket gate and fence.

Summary Conclusion:

The replacement gate and fence are appropriate; the COA should be approved.

Robert Edwards, applicant, displayed a copy of the survey showing the location of the fence and gate and said he considered this to be an upgrade. He stated fences down the street were at the same setback as the current fence. Mr. Edwards explained that west of the gate was an easement into which the fence was built 15 feet beyond the actual property line. He said there was discussion of taking the easement back and turning the space into a park and if this happened, he would take the fence down to accommodate it.

Mr. Fajardo had not been aware that the fence was going to be in the easement because this was not indicated properly on the survey. He explained that only if the easement were vacated could it be dedicated to adjacent property owner(s). Mr. Fajardo needed to determine if the existing fence had been legally built in the

easement. Mr. Edwards agreed to limit the new fencing to the portion not in the easement until they determined the status of the easement. Mr. Fajardo advised the Board to limit their decision to the portion of fence on the property.

Mr. Edwards was concerned he would have to pay an additional fee to come back to the Board to discuss the portion of fence in the easement. Mr. Fajardo stated they could discuss the fees separately, or they could defer the entire request.

Chair McClellan opened the public hearing portion of the meeting.

Charles Jordan, President of the Trust for Historic Sailboat Bend and member of the Sailboat Bend Civic Association, explained that the easement was a right-of-way: 8th Avenue running to the river. There was a use agreement in place to allow the owners to use the property until any individual requested the right-of-way back. He objected to the fence being installed in the right-of-way. Mr. Jordan said this area was being considered for a pocket park project in 2013.

Paul Bogges, Sailboat Bend Civic Association, said he did not object to the fence, provided it did not extend into the easement. He said they intended to ask for the easement property back so it could become a park or garden.

Dave Baber, Sailboat Bend Civic Association, noted that the recently ratified design guidelines indicated that the requested style was appropriate but the height was not: fences in front yards were to be limited to 36 inches.

Mr. Baber said the Sailboat Bend Civic Association had approved a motion to oppose the application as presented and to encourage the HPB to review the recently adopted design guidelines. They also voted to reiterate their role in reviewing applications before they were submitted to the HPB and to state that in no case should the applicant be permitted to build any improvement in the SW 8th Avenue right of way. Mr. Baber pointed out that this was a use agreement, not an easement, and it could be reversed at any time.

Mr. Edwards showed photos of a number of fences in the neighborhood that were six feet tall, most of which were wood and opaque. He reiterated that he would remove the fence section from the easement/right-of-way when the property was taken back. Mr. Edwards added that there was a chain link fence running along the center of the easement/right-of-way as well.

Mr. Fajardo said the HPB did not have the authority to allow the fence in the easement; they could only approve it on the owner's property.

There being no other members of the public wishing to address the Board on this matter, Chair McClellan closed the public hearing and brought the discussion back to the Board.

Mr. DeFelice believed the fences Mr. Edwards showed them had been built before the design guidelines were in place or were built without CoAs. The guidelines limited the fence heights to 36 inches.

Ms. Flowers pointed out that even though the fence Mr. Edwards was requesting was taller than 36", the property could be seen clearly through the fence so she did not object to it.

Mr. Morgan felt the fence should be set back and should have the appropriate landscaping, per the ordinance. Mr. DeFelice agreed, and added that the height design guidelines should be followed as well.

Chair McClellan said she was in favor of the design guidelines and she would not object to installing the fence on the property line, if the applicant could obtain a variance, but she wanted the height limited to 36". She also did not want landscaping in front of the fence to create a wall; landscaping should be low-lying.

Motion made by Ms. Flowers, seconded by Mr. Heidelberger, to approve the fence and gate in the front yard, along the right-of-way along the property line, as shown, excluding the section proposed to extend into the easement. In a voice vote, motion **failed** 5-2 with only Ms. Flowers and Mr. Heidelberger voting in favor.

Motion made by Ms. Thompson, seconded by Mr. DeFelice, to approve the fence and gate in the front yard, along the right-of-way along the property line, with a maximum 36" height, excluding the section proposed to extend into the easement. If the variance was denied, the Board approved the fence at three feet in height with landscaping planted in front of it. In a roll call vote, motion **failed** 3-4 with Mr. Morgan, Ms. Flowers, Mr. Kyner and Mr. Heidelberger opposed.

Mr. Edwards remarked that if the Board approved a three-foot fence, it was worthless to the owner, who wanted a six-foot fence for security.

Mr. Kyner remarked that a three-foot tall pedestrian gate made sense but a three-foot vehicular gate would probably be run over. Ms. Sarver reminded the Board that the three-foot height was a guideline and the Board had discretion to make their recommendation. Mr. Baber said the guidelines only discussed fence heights in front of the property and did not mention gate heights.

Motion made by Mr. Morgan, seconded by Ms. Flowers, to approve the six-foot fence with gate shown, installed to meet all ULDR requirements. In a roll call vote, motion passed 4-3 with Mr. Kyner, Mr. DeFelice and Chair McClellan opposed.

2.

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Case	15H12	FMSFV	BD00228
Applicant	Lee Martin		
Owner	East Lauderdale Properties LLC		
Address	300 SW 2 St.		
General Location	Southwest corner of SW 2nd ST.		
Legal Description	Lots 12, 13, and 14, Block 25, <u>Town of Fort Lauderdale</u>, P.B. "B", P. 40, of the Public Records of Broward County, Florida		
Existing Use	Commercial		
Proposed Use	Commercial		
Applicable ULDR Sections	ULDR Sec. 47-24.11.3		
Request(s)	Certificate of Appropriateness for Alteration <ul style="list-style-type: none"> • Installation and Alterations to Handicap Access 		

Property Background:

Ms. Rathbun stated the two-story commercial building at 300 SW 2nd Street (Himmarshee Street) is a contributing building in the H-1 Historic District. The structure has a rectangular footprint and a flat roof with a parapet; the parapet is stepped along the building sides to a greater height in the front. There is a one-story flat roofed portico covering the sidewalk attached to the building and supported by wooden posts.

Description of Proposed Site Plan:

Ms. Rathbun informed the Board that the applicant requests a Certificate of Appropriateness for Alteration for the installation for a handicap ramp and rails to an existing elevator located at the rear of the historic building. The elevator is at the southwest corner (rear) of the building at some distance from SW 3rd Avenue, the side street. The visual impact of the elevator on the streetscape is minimal. There is a double (2 story) gallery located at the south elevation of the historic building. The elevator opens into this gallery, the elevator doors are not visible from the street. The requested handicap ramp will be built leading to the elevator doors. The applicant has also requested a wall to be located to the west of the elevator and an awning to stop rainfall from entering the elevator area.

Criteria for Certificate of Appropriateness:

Pursuant to ULDR Section 47-24.11.C.3.c.i, in approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the HPB shall use the following general criteria:

ULDR Section 47-24.11.C.3.c.i

- a) The effect of the proposed work on the landmark or the property upon which such work is to be done.

Consultant's Response: The proposed work is so sited that it has minimal impact on the distinguishing historic characteristics of the resource.

- b) The relationship between such work and other structures on the landmark site or other property in the historic district.

Consultant's Response: There is no adverse impact on other structures in the H-1 District.

- f) Whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."

Consultant's Response: See below

United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Consultant's Response: The applicant's project meets this criterion.

Request No. 1 - COA for Alterations:

The applicant is requesting a certificate of appropriateness for alterations to one structure.

In addition to the General Criteria for obtaining a COA and the Material and Design Guidelines, as previously outlined, pursuant to ULDR Section 47-24.11.C.3.c.ii, the Board must consider the following additional criteria specific to alterations, taking into account the analysis of the materials and design guidelines above:

"Additional guidelines; alterations. In approving or denying applications for certificates of appropriateness for alterations, the Board shall also consider whether and the extent to which the following additional guidelines, which are based on the United States Secretary of the Interior's Standards for Rehabilitation, will be met."

ULDR Section 47-24.11.C.3.c.ii

- b) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible;

Consultant's Response: The applicant's proposal does not adversely impact any distinguishing original qualities of the building.

Summary Conclusion:

This applicant's request for a COA for Alteration is appropriate and should be approved.

Lee Martin, architect, explained that a sidewalk impaired access to the handicapped ramp from the elevator. They desired to remove part of the sidewalk and allow access from the parking lot to the elevator. The work would also include a retaining wall to prevent water from flooding out the elevator area and a canopy to protect the air conditioning units and retaining wall. Mr. Martin said the wall would be a smooth stucco finish.

Chair McClellan opened the public hearing portion of the meeting.

Charles Jordan, Sailboat Bend Civic Association, felt the request was appropriate and would make the building more functional.

There being no other members of the public wishing to address the Board on this matter, Chair McClellan closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Flowers, seconded by Mr. Morgan, to approve the application as presented. In a voice vote, motion passed unanimously.

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Case	16H12	ENSE 1
Applicant	Tamara Peacock Co., Architect	
Owner	Alan Stotsky	
Address	728 SW 4 ST. and 400 SW 8 Avenue	
General Location	South Side of SW 4 ST., East Side of SW 8 Avenue	
Legal Description	Lots 33 & 35, Block 33, <u>Bryan's Subdivision</u> of Blocks 33 and 64 of Town of Fort Lauderdale, PB 1, P. 29, Public Records of Dade County, Florida.	
Existing Use	Service agency	
Proposed Use	Residential	
Applicable ULDR Sections		
Request(s)	Certificate of Appropriateness <ul style="list-style-type: none">• Demolition of Concrete Wall at 400 SW 8 Avenue	

Property Background:

Ms. Rathbun stated the two-story Modern house at 728 SW 4th Street was designed by prominent Fort Lauderdale architect John M. Peterman in 1958. Originally a duplex residence, at some time it became part of a complex with the adjacent property, a one-story apartment building, and the complex was repurposed as the site of a service agency. For security purposes the complex was then surrounded with a six foot high concrete wall.

Description of Proposed Site Plan:

Ms. Rathbun informed the Board that the applicant is before the Board to request a Certificate of Appropriateness for the demolition of the concrete wall. The applicant's intention is to return the house and the apartment complex to their original residential use.

Criteria for Certificate of Appropriateness:

Pursuant to ULDR Section 47-24.11.C.3.c.i, in approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the HPB shall use the following general criteria:

ULDR Section 47-24.11.C.3.c.i

- a) The effect of the proposed work on the landmark or the property upon which such work is to be done.

Consultant's Response: This type of wall is inappropriate in the SBHD. Removal of the wall will reveal the historic character of the buildings.

- b) The relationship between such work and other structures on the landmark site or other property in the historic district.

Consultant's Response: Removal of the wall will open the buildings to the streetscape, which is an appropriate treatment.

United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings:

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Consultant's Response: The wall obscured the historic character of the buildings, removal of the wall will restore the character.

Request No. 1 - COA for Demolition:

The applicant is requesting a certificate of appropriateness to demolish existing structures

Pursuant to ULDR Section 47-24.11.C.4.c, the Board must consider the following additional criteria specific to demolition, taking into account the analysis of the materials and design guidelines above:

ULDR Section 47-24.11.C.4.c

iii. The demolition or redevelopment project is of major benefit to a historic district.

Consultant's Response: The requested demolition will remove an inappropriate wall which obscured the historic character of the property. Criterion iii. applies.

Summary Conclusion:

The applicant's request for a COA for Demolition is appropriate and should be approved.

Tamara Peacock, architect, said the intent was to convert the building back to apartments. She showed photos of the property as it currently looked and a rendering to show how they proposed to renovate the property. Ms. Peacock said the parking would be a separate issue that they would address later.

Ms. Peacock said they were thinking of placing a fence in the rear area so each unit could have its own backyard. She clarified that they would leave the wall by the dumpster and the courtyard enclosure in the rear.

Chair McClellan opened the public hearing portion of the meeting.

Dave Baber, Sailboat Bend Civic Association, said they appreciated the fact that the owners had met with the Civic Association to discuss the project. They appreciated that the owner wanted to preserve the building.

Paul Bogges, Sailboat Bend Civic Association, said this would be a great improvement for the area and he appreciated the owner's communication with the Civic Association regarding the project.

There being no other members of the public wishing to address the Board on this matter, Chair McClellan closed the public hearing and brought the discussion back to the Board.

Ms. Thompson remarked that the building had served a wonderful purpose in the community when it was used by Women in Distress but she was glad it would be returned to its original purpose.

Stephen Hering, representing the owner, said the roof would be replaced with the same material. They would also put a parking lot on the west side. Mr. Fajardo explained the Board did not need to approve the roof because the replacement would be like-for-like. There would also be a reconfiguration of the parking to make more spaces to accommodate the use. Mr. Fajardo said the Board did not usually review parking plans.

The proposal must comply with all storm drain and pervious requirements. Mr. DeFelice asked if parking areas and driveways were in the new design guidelines and Mr. Fajardo agreed to research this.

Chair McClellan re-opened the public hearing portion of the meeting.

Mr. Bogges said the Civic Association supported the parking on the west side.

Mr. Jordan felt they must address the parking issue. He recalled that the Board had reviewed a parking lot for the Dog Center on Broward Boulevard and administrative CoAs were required for parking area asphalt and drainage.

There being no other members of the public wishing to address the Board on this matter, Chair McClellan closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Flowers, seconded by Mr. DeFelice, to approve the request as presented. In a roll call vote, motion passed 6-1 with Ms. Flowers opposed.

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Review and comment	Pursuant to Policy 1.11.3 of the City of Fort Lauderdale, Comprehensive Plan
Applicant	Scott E. Backman, Esq.
Owner	Downtown Fort Lauderdale Waterfront 18 LLC
Address	400 SW 3rd Avenue
Request(s)	Presentation of the proposed "Marina Lofts Project" and its potential impact on the New River Inn, Bryan Homes and the H-1 Historic District.

Property Background:

Ms. Rathbun stated this was an assessment of the possible impacts of the proposed Marina Lofts development on the historic resources of the designated H-1 Historic District, the New River Inn and the Tom and Reed Bryan Homes. The H-1 district was established by City of Fort Lauderdale Ordinance (No. C-75-29, Sec. 47-23.13) in 1975. In 1976 the City hired the firm of Fisher and Shepard, Architects and Planners, Inc. to survey the district. The survey team was headed by Mr. Herschel Shepard, architect. Field work for the survey was completed in 1976; research was completed and the survey was published in 1977.

Ms. Rathbun explained that the H-1 is a commercial and mixed use district. Boundaries of the district, in 2012, are from SW 4th Avenue east along SW 2nd Street to the FEC Railway tracks as the northern boundary; south along SW 2nd Avenue to the New River and Riverwalk; west along the river and the historic riprap seawall to an alley between

3rd Avenue and 4th Avenue, north to SW 2nd Street. SW 2nd Street in the district is the commercial corridor with contributing historic structures and compatible infill construction. Historic commercial buildings in the district are two stories in height; infill construction is not allowed to be more than two stories or 25 feet in height. Businesses in the district are primarily retail/restaurant with some offices on the second floors.

Ms. Rathbun informed the Board that the most historic buildings in the district are located on SW 2nd Avenue and the riverfront. The New River Inn was built in 1905 for pioneer resident Philemon Bryan by Fort Lauderdale's first builder/contractor Edwin King. Originally called the New River Hotel it operated as a hotel for over 50 years. The Inn is listed on the National Register of Historic Places. On the riverfront, west of the Inn are the Bryan houses, which were built, prior to the Inn, by Philemon Bryan and Ed King for Philemon's two sons, Tom and Reed. These three buildings, along with the Davis Acetylene Building on SW 2nd Avenue, were built of rusticated hollow concrete block, which was made on site. The four buildings are supposedly gravity built structures, although further investigation is needed to determine if this is the case. The 1907 King-Cromartie House, the former home of Ed King, was moved to the site in 1971. The Philemon Bryan house was built on site c. 1912.

Ms. Rathbun said the H-1 Historic District is considered part of the Fort Lauderdale Arts and Entertainment District, which was identified as Character Area One, Cultural Arts Gateway in the "Fort Lauderdale New River Master Plan."

Description of Proposed Site Plan:

Ms. Rathbun stated the Marina Lofts project is proposed for three parcels on the south bank of the New River between SW 4th Avenue and the FEC Railway. The central and eastern lots of this site (lots 2 and 3) are directly across the river from the H-1 Historic District. The width of the river at the western edge of the projects' central parcel to the western border of the H-1 District is approximately 140 feet; the width of the river at the railway track is about 150 feet. There is no Riverwalk connection through the applicant's riverfront lots as they are the site of small boat marinas. The surrounding neighborhood is primarily residential. The area is identified in the "Fort Lauderdale New River Master Plan" as Character Area Two, Tarpon River Neighborhood Riverfront.

Ms. Rathbun explained that the applicant proposes to build two towers on his lots. Both towers have a high rise section on the north (riverfront) elevation and a lengthy medium rise extension to the south. The western and central towers appear to be connected at the upper stories; there is an opening between the towers that visually suggests a broken zipper. According to the applicant's narrative, the western towers will be 330 feet in height measured from grade. The applicant did not provide elevation drawings in his packet, but from the renderings included these towers appear to be 27 stories in height. The eastern tower, according to the applicant, is 236 feet measured from grade and about 16 stories in height.

The Building Design Guidelines of "The Fort Lauderdale New River Master Plan" recommends:

"B3 Encourage riverfront towers to orient the narrowest dimension parallel to the river's edge..."

Ms. Rathbun stated the applicant's proposed project indicated the widest dimensions of the towers face the riverfront. The towers' riverfront facades fill the entire width of the applicant's lots from SW 4th Avenue east to the FEC Railway tracks. The riverfront dimension of the three lots is over 600 feet. The applicant states that his project will provide a connection between the east and west portions of Riverwalk on the south bank of the river.

Shadow Effect of Proposed Marina Lofts project on H-1 Historic District:

Ms. Rathbun explained that the historic resources the New River Inn and the Tom and Reed Bryan Homes, all three of which are City-owned properties, front on the Riverwalk in the H-1 District. The seawall in the historic district section of the Riverwalk is riprap to enhance the historic character of the area. Many of the trees that add to the garden like character of the area were planted by the original property owners, the Bryan family.

Ms. Rathbun reminded the Board that the 1986 final draft of the "Riverwalk Design Guidelines" prepared for the City of Fort Lauderdale, states that when planning development for the south side of the river that it is necessary to keep the seawall on the south side of the river and its immediate vicinity, which would presumably include the river and even the seawall on the north side, in the sun on the winter solstice. The Guidelines state:

"...In order to maximize development restrictions while maximizing positive sun exposure, south side structures should be required to produce a shadow pattern that shades no portion of the seawall for longer than four hours during winter equinox, based on shadow constructions for 26° N latitude."

Ms. Rathbun referred to shadow studies she had included in her documentation to the Board. She explained that there is an existing 16-story building on the south riverfront just west of the applicant's property that had a shadow effect on the H-1 District. She had also included comparison shadow studies for the existing buildings. The studies showed the shadow effect at the winter equinox from 10 AM until 4 PM. The south and north seawalls fronting the historic district are in shadow for more than four hours, which is a clear infringement of the recommendation of the Stone Design Guidelines quoted above. The second page of shadow studies shows summer solstice shadow effects for both the existing building and the proposed project. In summer when the sun is strongest there is little or no shadow effect on the H-1 District.

Impact of Visual Effects on the Historic Resources of the H-1 Historic District-New River Inn, Reed and Tom Bryan Homes;

Ms. Rathbun noted that the applicant makes no reference to the H-1 District in his narrative, however there is a visual reference to the district on sheet A-903, figure 03. This view point is identified as SW 4th Ave from across the river. This identification is incorrect. The actual viewpoint is along a service alley located at the western edge of the H-1 District. The viewpoint is shown as 03 on the map Figure 1, page 8 in this (consultant's) report. This alley is not a major pedestrian connector from SW 2nd Street to the Riverwalk. The important pedestrian connectors and viewsheds between SW 2nd Street and the Riverwalk in the district are SW 2nd Avenue and SW 3rd Avenue. Although it is not shown in the applicant's illustration, the Bryan Homes do back up on the south end of this alley. The applicant's illustration does give a view of the probable impact of the proposed project on the historic resource.

Ms. Rathbun pointed out other important views from the historic resources. The New River Inn and the Bryan Homes were built with large porches, which were common amenities of the time. People expected to spend time on those porches admiring the view. Potential impacts include loss of light and air as seen from the historic resources of the New River Inn and the Bryan Homes as well as shadow effects discussed in the above paragraphs. The potential negative effect on the historic tree cover surrounding the historic resources should also be considered.

Summary Conclusion:

From the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings"

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Construction of the Marina Lofts as proposed will have an extreme negative effect on major resources in the H-1 Historic District and the historic tree cover on the Riverwalk in the district. From the Secretary of the Interior's Standards and Guidelines

GUIDELINES -BUILDING SITE & SETTING

Building Site

The landscape surrounding a historic building and contained within an individual parcel of land is considered the building site. The site, including its associated features, contributes to the overall character of the historic property.

The community has taken on the responsibility of protecting these historic resources from potential damage by ill-considered nearby new construction.

Mr. DeFelice said he had reviewed the project as the County's archeologist and as the

project would come back to the County for platting, he would recuse himself from voting on this item - notice filed as required. Mr. DeFelice's comments prepared for the County had been distributed to Board members.

Scott Backman, applicant, gave a Power Point presentation, a copy of which is attached to these minutes for the public record.

Mr. Fajardo reminded the Board that there were two Master Plans in this area: the Downtown General Master Plan and the Riverwalk Master Plan. The applicant's project met the waterfront setbacks in both Master Plans.

Mr. Backman explained that the building was 330 feet from the street level to the top of the building. There were 36 floors on the two central towers and 24 floors on the east tower. Ms. Rathbun said the river was 140-150 feet wide at this point.

Mr. Backman said they intended to relocate a huge Rain Tree that was currently on the property.

Ms. Thompson asked about the view from the New River Inn, and Mr. Heidelberger explained that one would see a 330-foot wall from that perspective. Mr. Backman stated this project in scale and size was complimentary to the City skyline along the New River. Mr. Heidelberger completely disagreed, and pointed out that the project did not compliment the adjacent Sailboat Bend and Tarpon Bend two-story buildings. He noted that the nearby high-rises were pinpoint towers, not walls. Chair McClellan said this was a wedge preventing cohesion among the surrounding properties.

Chair McClellan opened the public hearing portion of the meeting.

L. Thomas Chancey, landscape architect, tree preservationist and consulting arborist, discussed the relocation of the Rain Tree. He said the City had a tree protection ordinance that had saved the Stranahan Live Oak that Mrs. Stranahan had planted 110 years ago. Mr. Chancey said there were approximately eight historic trees left in the City, and this Rain Tree was one of them. He read from the tree protection ordinance, which indicated that some trees, due to their size, shape, character, age, historical significance and aesthetic value were practically irreplaceable and therefore deserving of protection. These trees could not be removed without a resolution by the City Commission. Mr. Chancey had examined this tree six years ago when another development was planned, and recalled that over 200 people had protested relocation of the tree.

Mr. Chancey remarked that the question was not whether the tree *could* be moved. He reminded the Board of the trees that had been moved from Smoker Park that had died 18 months later. Mr. Chancey remarked that the tree was 130 feet wide and he didn't know of a suitable location for it. After seeing Mr. Chancey's research six years ago,

the developer had decided not to move the tree but to relocate the development. He said he wanted to work with the developer to determine how the property could be developed without risking the loss of the tree. He stated he did not recommend moving something that would not survive.

Charles Jordan, Sailboat Bend Civic Association, read a letter from Alysa Plummer, president of the Civic Association regarding this project. She stated they had grave concerns about this project for the following reasons: the Civic Association had never been contacted by the developer; the mass and scale of the buildings would have a deleterious effect on the historic district; archeological concerns had not been addressed; traffic was a concern for nearby neighborhoods; the project did not seem to address the required 75-foot distance separation from FPL high-tension wires; lack of data regarding dimensions and elevations. Ms. Plummer asked the HPB to recommend against the project and asked the developer to work with the riverfront communities.

Mr. Jordan remarked that the developer had been concerned about having a good view corridor for the units, but from the south, the view corridor would be a solid wall of buildings. He displayed an aerial rendering and noted how massive the project was. He stated this was "a make or break for the historic district." He asked the Board to send a message to the City Commission.

Dave Baber, Sailboat Bend Civic Association, stated this project was planned for just 150 feet from the Sailboat Bend Civic Association's neighborhood. He wanted the developer to meet with the Civic Association. Mr. Baber reminded the Board that the entire river was a high probability area for archeological resources and major archeological sites had been identified nearby. This was why the Broward County Historical Commission had requested a Phase I survey, which they had not received yet.

Matthew DeFelice, resident, was unsure this project met the Downtown and New River Master Plan setbacks and height requirements. He was also concerned about the Rain Tree and the high tension wires in which the tree was entangled. Mr. DeFelice stated the tree was an outside-the-district contributing resource because of its impact on the Bryan Homes and historic district viewshed. Mr. DeFelice said there was a demolished Florida Master Site File on this property, and it was City policy that the Board would review all Florida Master Site Files when they were being impacted. Mr. DeFelice said the claim had been made that the project would not impact the nearby residential buildings and he wondered how this statement could be made. He pointed out the impact on nearby viewsheds.

There being no other members of the public wishing to address the Board on this matter, Chair McClellan closed the public hearing and brought the discussion back to the Board.

Chair McClellan commented that this seemed like a "first phase" project and there should have been review prior to presenting this to the Board. She wondered why there was no historic preservation architect or consultant named in the package. Chair McClellan felt a historical consultant could help the developer integrate the project into the environment.

Mr. Backman said they had done due diligence over the past year. He agreed they needed to meet with the Sailboat Bend Civic Association. Mr. Backman said it was his understanding that the project was not subject to formal review and recommendation from the HPB, but he did not intend to disregard the Board's comments. Chair McClellan advised Mr. Backman if they wanted the project to succeed, they should work with people, and the Board was part of this process. He should also hire a historic consultant. Mr. Backman stated there was an archeological and historical consultant on board and the Phase I analysis would be submitted to Mr. DeFelice very soon.

Ms. Thompson remarked on how out of place the project appeared in its surroundings.

Mr. Heidelberger asked if City planners had reviewed this project. He wanted to know how utilities would be handled on the site. Mr. Fajardo said the developer had several meetings with staff and had gone to the Development Review Team [DRT], which reviewed plans against Master Plans and the Development Review Committee [DRC], which looked at the DRT comments and included comments from a ULDR perspective. Mr. Fajardo stated the HPB should comment on the project's impact on the historic district across the river.

Chair McClellan wanted to communicate to the City Commission that the City had been developed because of the river and this project would have a huge impact on that historic resource, as well as on several historic districts in that area.

Mr. DeFelice pointed out that the HPB was required to look at all impacts to historic resources. If an historic resource was uncovered during the historic surveys, he asked if the Board review the project again for this impact, since they had already reviewed the project.

Motion made by Ms. Thompson, seconded by Ms. Flowers, to state that the HPB feels this project is incompatible with historic preservation. In a roll call vote, with Mr. DeFelice abstaining, motion passed 6-0.

Mr. Kyner recalled that Beyer Blinder Bell Architects had indicated that the New River was a "uniter" of the two sides of the river. Mr. Kyner did not see how this project would unite the two sides, and recalled that the architects had advised the City to develop the south side of the river in a step fashion. Mr. Kyner felt there must be a partnership to develop the area.

Walk-on Item

New River Village Phase III Staging and Access

Jordana Jarjura, attorney, requested temporary construction access on a small portion of Smoker Park, which abutted the New River Village property. She explained that Phases II and III had been approved pursuant to settlement agreements from 2001. Ms. Jarjura displayed a rendering of a future Phase III building and informed the Board that Smoker Park was part of the New River ground lease the County owned and New River leased. The City had a park easement agreement for use of the park from sunrise to sunset in perpetuity.

Ms. Jarjura directed the Board's attention to a rendering of the site and described the area they wished to utilize for staging. She explained that the area would be used to provide a tie-in between the existing building to Phase III and for swing stage work and equipment access; it would not be used to store equipment. She explained to Chair McClellan that equipment could not be stored longer than two days without approval from the City Manager. Once the construction was completed, the area would be improved per the City's request.

Mr. DeFelice stated Smoker Park was an archeology site and he wanted to know what impact the staging area could have on the site. Ms. Jarjura said there would be no vehicles in the area. She recalled that an archeological study had been conducted in 1993 and they found little or no possibility of any intact, significant archeological feature in the formal test grid. Mr. Fajardo explained that the construction fencing to be used utilized crossbar supports at ground level; it was not installed into the ground.

Ms. Sarver remarked that the City's revocable licenses are very comprehensive and protective of the City's interests. She informed the Board that the applicant would suffer a \$1,000 per day fine for being in breach of the contract. She assured the Board that all legal issues had been reviewed and addressed by the City Attorney's Office.

Mr. DeFelice wanted to be sure that the recommendations in the archeological report were carried through. Ms. Jarjura gave Mr. DeFelice a copy of the archeological report. The report recommended that an archeologist be present if any subsurface disturbance took place outside the formal test grid and work should stop if any skeletal remains appeared. Ms. Jarjura said the grid had included Smoker Park. Mr. Fajardo pointed out that there was no subsurface disturbance included in this request.

5. For the Good of the City

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Update from Staff on Coca-Cola Bottling Plant Property

Mr. Fajardo displayed photos of the building and informed the Board that during demolition of non-designated sections of the building, the developer had discovered bricks that had been put in by a prior tenant on interior walls. He informed the Board that Anthony Abbate was on site and he would ensure that whatever was there would remain and be available for restoration at a later date. Mr. Fajardo agreed to ask Mr.

Abbate to make a presentation to the Board regarding progress at the site.

Mr. Heidelberger asked Mr. Fajardo to send Board members an email when the City Commission would hear the Marina Lofts Project. Mr. Fajardo explained that downtown development required only Site Plan Level II staff review; the only reason the City Commission was reviewing this project was because of the allocation of dwelling units.

The Board was concerned about the fact that they would not review the Marina Lofts Project again, even if historic resources were discovered after the survey, but Mr. Fajardo stated this had not been the practice in the past. He reminded the Board that they were not an approving body; their comments were to be taken into consideration by the approving body, the City Commission.

6. Communication to the City Commission

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None.

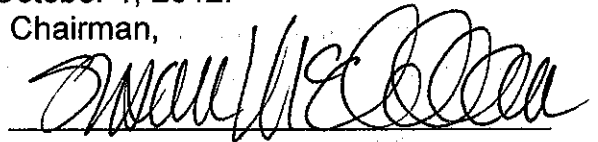
Adjournment

There being no further business to come before the Board, the meeting was adjourned 8:28.

Next Meeting

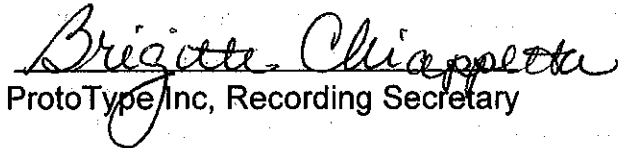
The Board's next regular meeting was scheduled for October 1, 2012.

Chairman,



Susan McClellan, Chair

Attest:



ProtoType Inc, Recording Secretary

The City of Fort Lauderdale maintains a Website for the Historic Preservation Board Meeting Agendas and Results: <http://ci.ftlaud.fl.us/documents/hpb/hpbagenda.htm>

Minutes prepared by: J. Oppерlee, ProtoType Inc.